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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,183	06/08/2006	Kozo Shimokawa	60883-8003.US01	8927

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EXAMINER	
CHACKO, SUNIL	
ART UNIT	**PAPER NUMBER**
2625	
MAIL DATE	**DELIVERY MODE**
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/582,183	**Applicant(s)** SHIMOKAWA ET AL.	
	Examiner SUNIL CHACKO	**Art Unit** 2625	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 August 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires *3* months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/Benny Q Tieu/
Supervisory Patent Examiner, Art Unit 2625

/SUNIL CHACKO/
Examiner, Art Unit 2625

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues on page 7-8 of Response to Final Office Action, regarding claims 1-2 that Weichmann in view of Endo in further view of Shiraishi fails to teach "performing the elongation/contraction correction in the direction in which the printing medium is to be elongated or contracted, by changing the position of the image type data and the shape of the image type data." Examiner respectfully disagrees, Weichmann et al, teaches the preparation of print data, before it is sent to the print press, see abstract. Weichmann however does not teach the correction of elongation/contraction caused by the movement of the printing medium. Examiner relies on Endo et al, for this feature. Endo et al. teaches that that correction for the stretch amount is stored and applied to print data, see abstract. Combining Weichmann et al. in view of Endo et al. and in further view of Shiraishi provides a method of creating printing data that would correct for stretch along with other errors. The image data information taught by Weichmann and the stretch correction taught by Endo would be combined to produce image data that would be sent to the printing press. Examiner also notes that the trapezoidal correction taught by Endo is used to correct for fan-out errors, See column 5 lines 10 -15.

Applicant argues on page 9 regarding claims 5 that Endo et al in view of Weichmann in further view of Shiraishi fails to teach "wherein the instructions to create the print data for the print images includes: instructions to determine deformation information of a print image downstream from the print image during printing of the downstream print image in the printing device, the deformation information indicating an amount of elongation or contraction correction to be applied to the printing medium in a direction the printing medium is to be elongated or contracted." Examiner respectfully disagrees Endo teaches amount of elongation or contraction is applied before the actually printing of the print job, this reads on downstream. The error correction information is gathered during another print job, the information is gathered from the stretch that happens during that job. See column 7 lines 37-48. This information is then used to create print data for the next job, see column 3 lines 50-55.

Applicant also argues on page 9 regarding claim 5 that Endo et al in view of Weichmann in further view of Shiraishi fails to teach "instructions to adjust one or more of the position and the shape of the pint image without performing mechanical positions or shape corrections in the printing device including correcting the image type data of the print image by changing the position of the image type data in the print image and the shape of the image type data in the print image based on corresponding position data and the deformation information of the downstream print image." Examiner respectfully disagrees, Endo et al teaches a method of creating print data that corrects for fan-out errors by using previous print jobs to predict the stretch, this correction would change the position data of the original image, See column 7 lines 37-48. The stretch correction would not be corrected by shape or mechanical positions of the print device since the corrections are already stored in the printing data for the next print job see column 3 lines 50-55.

Applicant argues on page 9 regarding claim 6 that Endo et al in view of Weichmann in further view of Shiraishi fails to teach "wherein the instructions for creating the print data include: instructions to determine deformation information on an amount of elongation or contraction in a direction in which the printing medium is to be elongated or contracted based on a previously printed image while the previously printed print image is being printed to the printing medium using a plurality of plates." Examiner respectfully disagrees; Endo teaches that the correction errors are obtained by the analysis a previous printing job. See column 7 lines 37-48. Endo fails to teach a plurality of printing plates is used, so the examiner relies on Shiraishi, see column 1 lines 9-13.

Applicant also argues on page 9 and 10 regarding claim 6 that Endo et al in view of Weichmann in further view of Shiraishi fails to teach "instructions to adjust one or more of the position and the shape of the pint image without performing mechanical position or shape correction in the printing device including correcting the image type data of the print image in terms of elongation or contraction in the direction in which the printing medium is to be elongated or contracted by changing the position of the image type data and the shape of the image type data based on corresponding position data and the deformation information of the previously printed print image; and the instruction to generate the print data for the print image subjected to the elongation or contraction correction. Examiner respectfully disagrees, Endo et al teaches a method of creating print data that corrects for fan-out by using previous print jobs to predict the stretch, this correction would change the position data of the original image, See column 7 lines 37-48. Weichmann et al, teaches the preparation of print data, before it is sent to the print press, see abstract. The image data information taught by Weichmann and the stretch correction taught by Endo would be combined to produce image data that would be sent to the printing press.

Applicant argues on page 10 regarding claim 7 that Endo et al in view of Weichmann in further view of Shiraishi fails to teach “wherein creating the print data for the print image includes: determining deformation of a print image downstream from the print image during printing of the downstream print image, the deformation information including an amount of elongation or contraction correction to be applied to the printing medium in a direction the printing medium is to be elongated or contracted.” And “adjusting one or more of the position and the shape of the print image without performing mechanical position or shape correction in the printing device including correcting the image type data of the print image by changing the position of the image type data and the shape of the image type data based on the deformation information of the downstream print image; and generating the print data for the print image based on the corrected image type data to match print positions of the print image with corresponding print positions of the downstream print image.” Examiner respectfully disagrees Endo et al teaches a method of creating print data that corrects for fan-out by using previous print jobs to predict the stretch, this correction would change the position data of the original image, See column 7 lines 37-48. Weichmann et al, teaches the preparation of print data, before it is sent to the print press, see abstract. The image data information taught by Weichmann and the stretch correction taught by Endo would be combined to produce image data that would be sent to the printing press. Therefore no correction would take place by the mechanical or shape correction of the printing device.